

1
2
3
4

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 ROYLENE RAY, et al., No. C-06-1807 JSW (EMC)

9 Plaintiffs,

10 v.

11 || BLUEHIPPO FUNDING, LLC, *et al.*,

12 Defendants.

**ORDER RE HEARING ON
SEPTEMBER 10, 2008**

16 The Court held a hearing on September 10, 2008, during which it addressed a discovery
17 dispute between Plaintiffs and BlueHippo regarding the scheduling of depositions. This order
18 memorializes the Court's rulings and provides additional rulings where necessary.

19 BlueHippo asks that the depositions of its 30(b)(6) witness(es) and of Mr. Rensin (assuming
20 that his deposition will proceed) be deferred by several weeks. The Court agrees with BlueHippo
21 that there is potentially some benefit to a deferral as by that time Judge White may have ruled on
22 Plaintiffs' motion to amend the complaint. Whether Judge White grants or denies the motion to
23 amend, the ruling will help define the scope of each deposition. Moreover, Plaintiffs have failed to
24 identify any prejudice that they would suffer if the depositions were delayed by several weeks,
25 especially since Judge White has altered the deadlines for, *inter alia*, class certification briefing and
26 hearing.

27 Accordingly, the Court hereby **GRANTS** BlueHippo's request that the depositions be
28 rescheduled. More specifically, the 30(b)(6) deposition(s) shall take place on October 2 and 3,

United States District Court
For the Northern District of California

1 2008.¹ As for the deposition of Mr. Rensin, assuming that it shall proceed, it shall take place on
2 November 14, 2008.

3 To the extent that Plaintiffs wish to serve document requests on any Defendant so that they
4 may depose Mr. Rensin about those documents, such requests must be served so that they are
5 received by Defendants no later than October 10, 2008. Defendants shall then have until October
6 17, 2008, to make any objection to the document requests. Similar to above, the objections must be
7 served so that they are received on October 17. If there is any objection, the parties shall meet and
8 confer to resolve the dispute. If the dispute is not resolved, then the parties shall file a joint letter
9 (limited to three single-spaced pages) no later than October 27, 2008. If Judge White has not ruled
10 on the motion to amendment by November 1, 2008, the parties shall proceed as to Mr. Rensin's
11 potential deposition on the basis of the unamended complaint. Any documents to be produced shall
12 be served no later than close of business, November 10, 2008.

13
14 IT IS SO ORDERED.
15

16 Dated: September 10, 2008
17


18 EDWARD M. CHEN
United States Magistrate Judge
19
20
21
22
23
24
25
26
27
28

¹ Per the parties' agreement, there shall be a total of 10 hours for the 30(b)(6) deposition.